

LAW OFFICES

**FUMUSO, KELLY, SWART, FARRELL,  
POLIN & CHRISTESEN, LLP**

ALAN J. FUMUSO ♦  
DOUGLAS J. SWART  
JAMES F. FARRELL, JR.  
SCOTT G. CHRISTESEN, R.Ph. ♦  
SETH KIRSCHBAUM  
JORDAN KARP  
CHRISTIAN A. FUMUSO  
ANTHONY M. MAFFIA

OF COUNSEL

MICHAEL K. KELLY +  
LORRAINE BERLUND POLIN, R.N.

ROBERT W. DeVERNA  
(1949 - 2014)

♦ ADM N.Y. & COLO.  
+ ADM N.Y. & FLA.  
◊ ADM N.Y. & CONN.

MAILING ADDRESS  
110 MARCUS BOULEVARD  
HAUPPAUGE, NEW YORK 11788-3704  
(631) 232-0200 • FAX (631) 232-1305  
[www.fksfpc.com](http://www.fksfpc.com)

JAMES B. REILLY  
ANN D. SCHATTNER  
JOSEPH P. ROSH  
ALBERT E. RISEBROW  
JUNE R. HERMAN  
CATHERINE ANN BRENNAN  
MICHELLE C. ACOSTA  
SUZANNE LAVOIE, R.N.  
HUGO A. BASSO  
KRISTIN N. MORO  
ANTHONY MARINO  
BRIAN T. REILLY  
CHRISTINE M. CAWLEY  
KATHLEEN A. MILLER  
NICHOLAS J. ALBANESE

MARY L. SHARKEY  
OFFICE ADMINISTRATOR

DONNA OZOLS  
SENIOR PARALEGAL

January 6, 2021

**VIA ECF**

Honorable Paul Engelmayer  
Thurgood Marshall  
Unites States Courthouse  
40 Foley Square  
New York, New York 10007

Re: Jane Doe v. Institute for Family Health, et al.  
Docket No.: 20-CV-05155 (PAE) (KNF)  
Our File No.: OB1223

Dear Judge Engelmayer:

Please be advised we represent the defendants, Institute for Family Health, Family Health Center of Harlem, Dr. Yu Lin Ngu and Dr. John Pfail in the above-referenced claim. With the consent of plaintiff's counsel, we write to request an adjournment of the discovery conference which is currently scheduled for January 11, 2021.

There was some discrepancy as to the current insurance coverage of the aforementioned defendants. Specifically, there are multiple insurance carriers who hold different policies of coverage for the defendants, of whom have been noticed of the above claim. We have recently obtained clarification as to which policy will cover the claims herein. With that being said, our firm has been assigned as counsel for the defendants and will be representing the defendants going forward. Due to the significant delay in this determination, I have been unable to obtain records or move forward with the defense of this action until the representation was determined.

In addition, the undersigned was out of the office with limited access to emails and files due to having contracted Covid-19. I was out from December 3 until this week, January 6, 2021.

My apologies to the plaintiff's counsel, as well as this Honorable Court for the delay in this case. However, I do believe we will be able to facilitate early settlement discussions and move forward with discovery now that the aforementioned discrepancies have been resolved.

The undersigned respectfully requests an adjournment of the January 11, 2021, discovery conference, on consent of the parties to February 17, 2021, or a date convenient for the court. Please do not hesitate to contact the undersigned if you have any questions or require further additional information.

Respectfully submitted,

FUMUSO, KELLY, SWART, FARRELL,  
POLIN & CHRISTESEN, LLP



BY: KRISTIN N. MORO

Granted. The initial pretrial conference presently scheduled for January 11, 2021 at 3:00 p.m. is rescheduled for February 18, 2021 at 2:00 p.m. The parties' joint pretrial letter and proposed case management plan are due February 15, 2021.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

January 8, 2021